

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Senate Bill 203 be amended to read as follows:

- 1 Page 2, between lines 33 and 34, begin a new paragraph and insert:
- 2 "SECTION 3. **The wrongful death contingent fee reporting**
- 3 **program is established. The program shall be administered by the**
- 4 **clerk of the supreme and appellate courts (referred to in this act**
- 5 **as the "clerk").**
- 6 SECTION 4. (a) **Notwithstanding any other law, each**
- 7 **attorney admitted to the practice of law in Indiana shall report**
- 8 **wrongful death contingent fee arrangements to the clerk under**
- 9 **this act. An attorney who has made no wrongful death contingent**
- 10 **fee arrangements during the reporting period need not report for**
- 11 **that period.**
- 12 (b) **This act does not apply to cases filed under the medical**
- 13 **malpractice law (IC 16-9.5).**
- 14 SECTION 5. (a) **The clerk shall design a form to be used**
- 15 **for reporting under this act to elicit the following information:**
- 16 (1) **Disposition of contingent fee cases filed, including:**
- 17 (A) **cases settled;**
- 18 (B) **cases in which there was a judgment; and**
- 19 (C) **cases dismissed.**
- 20 (2) **Concerning the items in subdivision (1), the report must**
- 21 **include:**
- 22 (A) **the total award or settlement;**

- 1 **(B) the attorney's fees;**
2 **(C) litigation and other expenses; and**
3 **(D) the amount received by the plaintiff.**
4 **(b) The clerk shall make the forms designed under subsection**
5 **(a) available to any attorney at the request of the attorney.**

6 **SECTION 6. The clerk shall:**

- 7 **(1) tabulate the reports to show the number of cases**
8 **reported and the aggregate of the items in SECTION 3(a)(1)**
9 **of this act;**
10 **(2) provide the legislative council with copies of the**
11 **tabulation; and**
12 **(3) make the tabulation available to the public.**

13 **SECTION 7. The reports required to be filed under this**
14 **chapter covering the period beginning January 1 and ending June**
15 **30 shall be filed not later than August 31 and those required to be**
16 **filed for the period beginning July 1 and ending December 31 shall**
17 **be filed not later than February 28.**

18 **SECTION 8. The reports filed by the attorneys:**

- 19 **(1) are not public records under Indiana law;**
20 **(2) must apply to the periods:**
21 **(A) July 1 through December 31, 2004;**
22 **(B) January 1 through June 30, 2005;**
23 **(C) July 1 through December 31, 2005; and**
24 **(D) January 1 through June 30, 2006;**
25 **(3) must be in the aggregate for all clients and may not**
26 **identify clients; and**
27 **(4) shall be made available to the disciplinary commission of**
28 **the supreme court of Indiana.**

29 **SECTION 9. A person who reports information under this**
30 **act is immune from any civil or criminal liability that might**
31 **confidential information.**

32 **SECTION 10. This act expires December 31, 2006.**

33 **SECTION 11. Because an emergency exists, this act takes**
34 **effect upon passage. otherwise be imposed because of the release**
35 **of what is otherwise"**

36 Renumber all SECTIONS consecutively.
 (Reference is to ESB 203 as printed February 13, 2004.)

Representative THOMPSON